Version with Markings to Show Changes Made

1. (Amended) A system for transmitting a plurality of localized information streams within a common general digital audio broadcast channel, comprising:

a plurality of local content source information streams;

a plurality of local broadcast identifying codes each associated with a respective one of said plurality of local content source information streams;

a formatting module adapted to insert said plurality of local broadcast identifying codes into respective ones of said plurality of local content source information streams; and

a digital radio transmitter adapted to transmit data packets each containing at least one of said plurality of local broadcast identifying codes and a portion of one of said plurality of local content source information streams.

11. (Amended) A method for transmitting a plurality of local broadcast information streams within a common channel, comprising:

associating one of a plurality of unique local broadcast identifying codes with each of a plurality of local content information streams; and

transmitting a digital radio signal over said common channel a plurality of data packets each containing one of said plurality of content information streams and an associated one of said plurality of unique local broadcast identifying codes.

18. (Amended) Apparatus for transmitting a plurality of local broadcast information streams within a common channel, comprising:

means for associating one of a plurality of unique local broadcast identifying codes with each of a plurality of local content information streams; and

means for transmitting a digital radio signal over said common channel a plurality of data packets each containing one of said plurality of content information streams and an associated one of said plurality of unique local broadcast identifying codes.

REMARKS

Claims 1, 11 and 18 are amended herein. Claims 1-33 remain pending in the application.

35 USC 112 Second Paragraph Rejection of Claims 12 and 19

The Office Action rejected claims 12 and 19 as allegedly being indefinite under 35 USC 112. In particular, the Office Action alleges that it is unclear if the information stream in each of a digital information stream or each of digital audio broadcast information is the local content information streams. The Applicant respectfully disagrees.

The claims are not claiming an information stream is a local content information stream. The claims recite "said local content information streams", which refer to the same claim limitation recited in claims 11 and 18 respectively, are "each a digital audio broadcast information stream". The Applicants are claiming that the local content information streams are each a digital audio broadcast information stream, NOT that either a digital information stream or a digital audio broadcast information is a local content information stream.

Claims 12 and 19 are in full conformance with 35 USC 112 2nd paragraph. It is therefore respectfully requested that the rejection be withdrawn.

Claims 1, 3-15, 17-22, 24, 25 and 27-33 over Schmidt

In the Office Action, claims 1, 3-15, 17-22, 24, 25 and 27-33 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Schmidt et al. U.S. Patent No. 6,160,585 ("Schmidt"). The Applicant respectfully traverses the rejection.

Claims 1 and 3-10 recite, *inter alia,* a **digital radio** transmitter adapted to transmit data packets each containing at least one of a plurality of local broadcast identifying codes and a portion of one of a plurality of local content source information streams. Claims 11-15, 17-22, 24, 25 and 27-33 recite, *inter alia,* transmitting a **digital radio** signal over a common channel a

plurality of data packets each containing one of a plurality of content information streams and an associated one of a plurality of unique local broadcast identifying codes.

Schmidt appears to teach a digital **video** transmitter and receiver (Schmidt, Abstract). The digital **video** transmitter receiver receives a broadcasted digital **video** signal and demultiplexes the digital **video** signal into a multicasting segment and a baseline **video** bitstream (Schmidt, Abstract). The **video** signal can be directed to a target audience based on address discrimination, such as geographic location or some other discrimination as to the function, content and/or distribution properties of the signal (Schmidt, col. 4, lines 50-65).

Conventionally, radio transmissions are localized about a central radio transmitter. Having only localized transmissions, the prior art could not foresee, and does not suggest the advantages of having targeted transmissions for application to **digital radio**. Video, in contrast, is transmitted from a central location to local offices, and then re-transmitted to households. The local offices have traditionally inserted local programming, such as commercials.

Since conventionally, radio and video broadcasts followed different distribution schemes, using targeted transmissions for **digital radio** was not suggested by the prior art.

Scmidt fails to teach a **digital radio** transmitter or transmitting a **digital radio** signal, as claimed by claims 1, 3-15, 17-22, 24, 25 and 27-33.

Accordingly, for at least all the above reasons, claims 1, 3-15, 17-22, 24, 25 and 27-33 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 2, 16, 23 and 26 over Schmidt in view of Tanabe

In the Office Action, claims 2, 16, 23 and 26 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Schmidt in view of Tanabe U.S. Patent No. 5,918,156 ("Tanabe"). The Applicant respectfully traverses the rejection.

Claim 2 recites, *inter alia,* a **digital radio** transmitter adapted to transmit data packets each containing at least one of a plurality of local broadcast identifying codes and a portion of one of a plurality of local content source information streams. Claims 16, 23 and 26 recite, *inter alia,* transmitting a **digital radio** signal over a common channel a plurality of data packets each containing one of a plurality of content information streams and an associated one of a plurality of unique local broadcast identifying codes.

Claims 2, 16, 23 and 26 are dependent on claims 1, 11 and 18 respectively, and are allowable for at least the same reasons as claims 1, 11 and 18 are allowable.

As discussed above, Scmidt fails to teach or suggest a **digital radio** transmitter or transmitting a **digital radio** signal.

The Office Action correctly acknowledged that Scmidt fails to teach at least one of the plurality of local broadcast identifying codes is contained in a header of each data packet transmitted by the transmitter. The Office Action relies on Tanabe, as shown in Fig. 6, to make up for the deficiencies in Schmidt to arrive at the claimed invention. The Applicant respectfully disagrees.

Tanabe appears to teach a satellite communication system that broadcasts an information signal from a transmitting station to a plurality of receiving stations via a communication satellite (Tanabe, Abstract). An answer station and the receiving stations are connected by a ground data link (Tanabe, Abstract). The answer station collects status data of each of the receiving stations to transmit an answer signal to the transmitting station on behalf of the group of receiving stations, so that a transmitting function for each of the receiving stations can be eliminated (Tanabe, Abstract). An answer signal pack (transmitted over the ground data link) includes flag bits indicating whether a

receiving station correctly receives an information signal or not, a packet number of an information signal for a flag bit, an ID of the transmitting station which transmitted a corresponding information signal, an ID of the answer station transmitting an answer signal packet and a synchronization pattern (Tanabe, col. 5, lines 20-30; Fig. 6).

The Office Action is relying on the answer packet being sent from the answer station. This packet is in response to the signal sent by the satellite to the receiving stations. Tanabe's system does not rely on local broadcast identification codes because the signal broadcast by the satellite is received by all the receiving stations (Tanabe, col. 1, lines 25-29), therefore, not even suggesting the need for local broadcast identification codes.

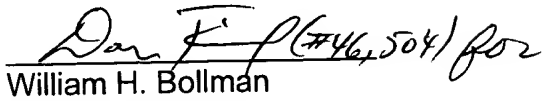
Both Schmidt and Tanabe fail to teach, or suggest at least one of the plurality of local broadcast identifying codes is contained in a header of **each** data packet transmitted by the transmitter, much less a **digital radio** transmitter or transmitting a **digital radio** signal, as claimed by claims 2, 16, 23 and 26.

Accordingly, for at least all the above reasons, claims 2, 16, 23 and 26 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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